

IDAHO BOARD OF BARBER EXAMINERS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 11/14/2016

BOARD MEMBERS PRESENT: Kevin J Moriarty - Chair
Kerry R Nave
Thomas E Grimsman

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Marcie Rightnower, Appeals/Hearings Tech.
Eric Nelson, Board Prosecutor
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Roger Hales, Naylor and Hales

The meeting was called to order at 8:30 AM MST by Kevin J Moriarty.

APPROVAL OF MINUTES

Mr. Nave made a motion to approve the minutes of August 29, 2016 with changes. It was seconded by Mr. Grimsman. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the proposed legislation has been approved by the Governor and a postcard was mailed to all licensees.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$30,176.61 as of October 31, 2016.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case numbers BAR-2016-21; BAR-2016-22, BAR-2016-14 and BAR-2016-18. After discussion, the Board gave recommendations for appropriate discipline.

[INVESTIGATIVE REPORT](#)

Ms. Rightnowar gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Grimsman made a motion to approve the Bureau's recommendation and authorize closure with a warning letter in case I-BAR-2017-14. It was seconded by Mr. Nave. Motion carried.

DISCIPLINARY ACTION

Ms. Rightnowar presented a Stipulation and Consent Order in case BAR-2017-3. Mr. Grimsman made a motion to accept the Settlement Orders as signed and to authorize Mr. Moriarty to sign on behalf of the Board. It was seconded by Mr. Nave. Motion carried.

AMENDMENT TO AGENDA

Mr. Grimsman made a motion to amend the agenda to change "comments to proposed rules" to "comments on proposed laws." It was seconded by Mr. Nave. Motion carried.

OLD BUSINESS

To Do List – The Board reviewed the to do list and no action was taken.

Mr. Toryanski updated the Board on the preparation and mailing of postcards to all licensees regarding the proposed law. The mailing was approved by the Chair. Mr. Grimsman moved to ratify the Chair's authorization to mail the postcards. It was seconded by Mr. Nave. Motion carried.

COMMENTS ON PROPOSED LAWS

Mr. Hales

The Board reviewed several comments regarding the proposed law changes with Mr. Hales.

The Board reviewed a comment from Tracy Wickam regarding changes to the proposed laws for cosmetology. Mr. Nave made a motion to refer this comment to the Cosmetology Board. It was seconded by Mr. Grimsman. Motion carried.

The Board reviewed a comment from P. Scherbinske regarding changes to the proposed laws for cosmetology. Mr. Nave made a motion to refer this comment to the Cosmetology Board. It was seconded by Mr. Grimsman. Motion carried.

The Board reviewed a comment from Kris Wohn regarding changes to the proposed laws for cosmetology. Mr. Nave made a motion to refer this comment to the Cosmetology Board. It was seconded by Mr. Grimsman. Motion carried.

The Board reviewed several comments regarding the proposed law changes.

Lindsey Oxford asked what steps would be necessary for a cosmetologist to get a barber license. Mr. Nave made a motion to explain the rulemaking process that would outline the process in Rules if the legislation to combine the boards passed. It was seconded by Mr. Grimsman. Motion carried.

Travis Ellis commented on the profession of barbering and the use of straight razors to perform barber services. Mr. Grimsman made a motion to respond that the professions will remain distinct under the proposal. It was seconded by Mr. Nave. Motion carried.

Julie Howard asked what steps would be necessary for a cosmetologist to get a barber license. Mr. Grimsman made a motion to explain the rulemaking process that will outline the process. It was seconded by Mr. Nave. Motion carried.

Megan Lorenz asked when the changes would be taking place. Mr. Nave made a motion that the Chair respond to the comment stating that if the law passes it will become effective July 1, 2017. It was seconded by Mr. Grimsman. Motion carried.

Mr. Grimsman made a motion that the Chair work with the Bureau to respond to the comments. It was seconded by Mr. Nave. Motion carried.

NEW BUSINESS

EXECUTIVE SESSION

Mr. Nave made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Grimsman. The vote was: Mr. Moriarty, aye; Mr. Nave, aye; and Mr. Grimsman, aye. Motion carried.

Mr. Nave made a motion to come out of executive session. It was seconded by Mr. Grimsman. The vote was: Mr. Moriarty, aye; Mr. Nave, aye; and Mr. Grimsman, aye. Motion carried.

APPLICATIONS

Mr. Nave made a motion to accept the application for Lance Delgado and Benjamin Hone and issue a barber license. It was seconded by Mr. Grimsman. Motion carried. Mr. Nave made a motion to approve Khrystyna Zhdanova for license based on work experience. It was seconded by Mr. Grimsman. Motion carried.

NEXT MEETING was scheduled for March 13, 2017 8:30 am MDT.

ADJOURNMENT

Mr. Grimsman made a motion to adjourn the meeting at 10:02 a.m. It was seconded by Mr. Nave. Motion carried.

Kevin J Moriarty, Chair

Kerry R Nave

Thomas E Grimsman

Tana Cory, Bureau Chief